

REMARKS

The claimed invention, as set forth in independent claim 1, relates to methods of producing images having three-dimensional topographies (e.g., specification, page 1, lines 4-5), wherein coloring agents are applied directly to a material capable of sustaining a relief feature imparted thereto, and wherein the material is dried prior to application of the coloring agent.

The claimed invention, as set forth in independent claim 27, relates to methods of mass-producing images having three-dimensional topographies, wherein coloring agents are applied directly to a material capable of sustaining a relief feature imparted thereto by an automated printing process.

The claimed invention, as set forth in independent claim 30, relates to materials for producing an image, wherein the materials are capable of sustaining a relief feature imparted thereto, and wherein the material is dried prior to application of a coloring agent.

The claimed invention, as set forth in independent claim 31, relates to materials for producing an image, wherein the materials contain a viscosity control agent in an amount effective for the materials to sustain a relief feature imparted thereto, and an emulsive agent selected from the group consisting of acid-processed gelatin, alkaline-processed gelatin, derivatised gelatin, polyvinylacetate, and combinations thereof.

Claim Rejections – 35 U.S.C. § 102

The rejection of claims 1-4, 10-12, 14-16, 20, 24-26, and 30 under 35 U.S.C. § 102(b) as being anticipated by *Wakat* (U.S. Patent No. 6,022,588) has been obviated by amendment. Each of independent claims 1 and 30 has been amended to recite that the material capable of sustaining a relief feature imparted thereto is dried prior to application of a coloring agent thereupon. *Wakat* contains no teaching or suggestion of drying/curing a textured layer prior to application of a coloring agent thereupon.

Wakat describes a paint roller hand tool having two transversely spaced roller portions and methods of painting using such tools (e.g., abstract; Fig. 1). *Wakat* describes that a textured coat of paint may optionally be applied to a substrate prior to deposition of

a two color coat with the bifurcated paint roller (e.g., col. 5, line 52 to col. 6, line 18). The optional textured coat of paint is compared in the Office Action (page 2) with the material capable of sustaining a relief feature imparted thereto recited in the claimed invention. However, the textured coat of *Wakat* is not dried prior to the application of the two color coat. On the contrary, the two color coat is applied directly to the wet textured coat to allow intermixing of the paints, which is described as being preferred (e.g., col. 10, lines 42-52). *Wakat* contains no teaching or suggestion of drying the optional textured coat prior to application of the two color coat and, moreover, teaches away from such drying inasmuch as intermixing of the paints is said to be a preferred objective.

For at least this reason, Applicant respectfully submits that the claimed invention is neither anticipated by nor would have been obvious in view of *Wakat*. Accordingly, withdrawal of this ground of rejection is respectfully requested.

The rejection of claims 1-3, 5, 7, 9-10, 14-16, 20-24, 26-27, 30-32, and 34 under 35 U.S.C. § 102(b) as being anticipated by *Kuwabara et al.* (U.S. Patent No. 5,676,707) is respectfully traversed. *Kuwabara et al.* contains no teaching or suggestion of materials for producing images that are capable of sustaining a relief feature imparted thereto, as required by each of independent claims 1, 27, 30, and 31.

Kuwabara et al. describes a process for coloring leather in which a surface of the leather to be colored is treated with (i) a resin that is soluble in the liquid ink and (ii) an aggregate of particles with a functional group having an affinity for the liquid ink (e.g., abstract; col. 3, lines 11-18). The “soluble resin” and the “particle aggregate” are applied as distinct and separate layers to the surface of the leather to be colored (e.g., Fig. 1, layers 12 and 13, respectively; Fig. 3, layers 92 and 93, respectively). *Kuwabara et al.* is focused entirely on the application of color to a leather surface and is silent with respect to the production of textured or three dimensional topographies thereupon. Applicants note that the description cited on page 3 of the Office Action that “images can be produced faithfully in details along lines thus drawn and hence peculiar touches can be represented” (col. 4, lines 48-51) merely refers to the capability of preparing “highly minute images” and of achieving “sharp coloring” on the leather surface (e.g., col. 4, lines 51-55; col. 14, lines 22-27). This description is unrelated to the imparting of relief features to a material

capable of sustaining such features, as recited in the claimed invention. Indeed, if the “soluble resin” and “particle aggregate” described in *Kuwabara et al.* were regarded, *arguendo*, as providing a material comprising an emulsive agent and a viscosity control agent in the sense of the claimed invention, such a material would still be incapable of sustaining a relief feature imparted thereto since the structural integrity of the material breaks down upon introduction of the ink. For example, the resin layers 12 and 92 (Figs. 1 and 3, respectively) are soluble in the liquid ink, such that “[t]he soluble resin is dissolved upon contact with the ink” (col. 5, line 43; col. 14, lines 12-17). Thus, such a material would be incapable of sustaining a relief feature inasmuch as it dissolves upon contacting the coloring agent. In short, *Kuwabara et al.* contains no teaching or suggestion of materials capable of sustaining a relief feature imparted thereto.

For at least the reasons set forth above, Applicant respectfully submits that the claimed invention is neither anticipated by nor would have been obvious in view of *Kuwabara et al.* Accordingly, withdrawal of this ground of rejection is respectfully requested.

Claim Rejections – 35 U.S.C. § 103

The rejection of dependent claims 8, 33, and 35 under 35 U.S.C. § 103(a) as being unpatentable over *Kuwabara et al.* in view of *Malhotra et al.* (U.S. Patent No. 6,444,294) is respectfully traversed. The applied references, individually or in combination, do not teach or suggest materials capable of sustaining a relief feature imparted thereto.

As noted above, *Kuwabara et al.* is silent with respect to materials capable of sustaining relief features and the production of textured or three dimensional topographies on such materials.

Malhotra et al. describes recording substrates for ink jet printing and is likewise silent with respect to materials capable of sustaining relief features and the production of textured or three dimensional topographies on such materials.

For at least these reasons, Applicant respectfully submits that the claimed invention is neither anticipated by nor would have been obvious in view of these references, individually or in combination. Accordingly, withdrawal of this ground of rejection is respectfully requested.

The rejection of dependent claims 13, 17, and 28 under 35 U.S.C. § 103(a) as being unpatentable over *Kuwabara et al.* is respectfully traversed.

As noted above, *Kuwabara et al.* is silent with respect to materials capable of sustaining relief features and the production of textured or three dimensional topographies on such materials.

For at least this reason, Applicant respectfully submits that the claimed invention is neither anticipated by nor would have been obvious in view of *Kuwabara et al.* Accordingly, withdrawal of this ground of rejection is respectfully requested.

The rejection of dependent claims 5 and 9 under 35 U.S.C. § 103(a) as being unpatentable over *Kuwabara et al.* in view of *Hawley's Condensed Chemical Dictionary (Hawley's)* is respectfully traversed. The applied references, individually or in combination, do not teach or suggest materials capable of sustaining a relief feature imparted thereto.

As noted above, *Kuwabara et al.* is silent with respect to materials capable of sustaining relief features and the production of textured or three dimensional topographies on such materials.

Hawley's describes the use of vinyl acetate as a raw material for polyvinyl resins and is likewise silent with respect to materials capable of sustaining relief features and the production of textured or three dimensional topographies on such materials.

For at least these reasons, Applicant respectfully submits that the claimed invention is neither anticipated by nor would have been obvious in view of these references, individually or in combination. Accordingly, withdrawal of this ground of rejection is respectfully requested.

Claim Objections


The objection to dependent claims 6, 18, 19, and 29 as being dependent upon a rejected base claim has been obviated by amendment. Each of dependent claims 6, 18, 19, and 29, has been rewritten in independent form in accordance with the Examiner's suggestion and, therefore, is believed to be allowable. Accordingly, withdrawal of all grounds of objection is respectfully requested.

Conclusion:

In view of the Amendments and Remarks set forth above, Applicant respectfully submits that the claimed invention is in condition for allowance. Early notification to such effect is earnestly solicited.

If for any reason the Examiner feels that the above Amendments and Remarks do not put the claims in condition to be allowed, and that a discussion would be helpful, it is respectfully requested that the Examiner contact the undersigned agent directly at (312)-321-4257.

Respectfully submitted,



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